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Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

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Note by the Secretary-General

Addendum

The present report contains a summary of articles and reports received during the period from March to July 2000. Articles or reports of an urgent nature are mailed to the members as soon as they are available.

In preparing this summary, the following newspapers have been taken into account: *Ha'aretz* (Hebrew-language daily); *Jerusalem Post* (English-language daily). Reference to reports appearing in other newspapers is made when they contain relevant material not found in these newspapers. The terminology used in the summary for the most part reflects that found in the original version of the reports summarized.

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I. Situation of human rights of the Palestinian people in the occupied territories: Gaza, the West Bank and East Jerusalem

A. Conditions that are restrictive with respect to Palestinians in Gaza, the West Bank and East Jerusalem

1. Restrictions relating to land, housing and water

Land

1. On 20 March 2000, it was reported that the Israeli Cabinet, had approved the day before revised maps for the long-delayed withdrawal from 6.1 per cent of the West Bank. The decision paved the way for a handover the following day, according to which the Palestinian Authority would be left in full control of some 60 per cent of the Palestinian population area, including all the large towns. Once the transfer was completed, the Palestinian Authority would be in full control of 18 per cent of the West Bank and in partial control of 21.7 per cent. It would also have full or partial control of 98 per cent of the Palestinian population. Different withdrawal maps, which included less populated land, had already been approved by Prime Minister Ehud Barak the previous month, and then had been rejected by the Palestinians. The revised maps, approved by a vote of 16 to 6, were the outcome of negotiations and had already been accepted by Palestinian Authority President Yasser Arafat. The pullback would turn 5.1 per cent of Area B (Palestinian civilian control, Israeli security control) into Area A (full Palestinian control), while another 1 per cent under complete Israeli control (Area C) would be transferred to Area A. (*Ha'aretz*, *Jerusalem Post*, 20 March)

2. On 21 March, regional commanders of the Israel Defence Force (IDF) met with their counterparts to redraw the West Bank maps reflecting the transfer of 6.1 per cent of the region's land to full Palestinian control. This marked the implementation of the final stage of the second territorial withdrawal. No IDF bases were dismantled and the transfer did not necessitate a change in the deployment of the IDF troops in the West Bank. The Palestinian Authority thus had full control of 18 per cent of the West Bank and partial control of 21.7 per cent. The territories included a large chunk of land around Hebron and slivers of areas near Bethlehem, Ramallah, Nablus and Jenin. The area under control around Jericho was expanded almost up to Moshav Na'ama. The previous day IDF had begun putting up signs warning Israelis of the new borders of the territory of the Palestinian Authority. (*Ha'aretz*, *Jerusalem Post*, 22 March)

3. On 10 April, it was reported that Prime Minister Ehud Barak had said that while Ma'aleh Adumim , Givat Ze'ev, Gilo and Ramot would be part of the united Jerusalem in the future, there was "no interest" in annexing the approximately 50,000 Palestinians living in the villages on the outskirts of the capital, such as Abu Dis and Anata. Barak told his Cabinet that most areas designated Area B (under Palestinian civil control) would be transferred to full Palestinian control under the permanent-status agreement. He said that the Palestinian entity should be as contiguous as possible, so that Palestinians should not have to go through roadblocks to go from one part to another and their leaders should not need permission to leave its borders. (*Jerusalem Post*, 10 April)

4. On 12 May, it was reported that Palestinian Authority officials had confirmed a report in the Israeli newspaper *Ma'ariv* the previous day that Israel had offered it a land transfer in stages, starting with the creation of a State on 66 per cent of the West Bank in September 2000, and possibly another 14 per cent of the land in the Jordan valley in another couple of years. (*Jerusalem Post*, 12 May)

5. On 15 May, the Knesset approved the transfer of three Palestinian villages on the outskirts of Jerusalem — Abu Dis, Azzariye and Sawahara — to full Palestinian Authority control. The vote was 56 to 48, with one abstention. However, to gain passage of the measure, Prime Minister Ehud Barak had to gain the support of the liberal Shinui Party and Arab parties that were not part of his coalition, since opposition parties had been joined by parliamentarians from Shas and the National Religious Party in voting against the coalition, of which they formed a part. Under the Knesset decision, the three villages, heretofore under both civil control and Israeli military control, would be designated as Area A villages, under full control of the Palestinian Authority. However, Prime Minister Barak announced that the handover would not be implemented until there was a full investigation of the circumstances that had led to the outbreak of what was termed the worst violence in years in the West Bank and the Gaza Strip. (*Ha'aretz*, *Jerusalem Post*, 16 May)

6. On 26 May, it was reported that Israeli Cabinet Ministers had approved a scheme to set up a 176-dunam (44 acres) national park on the slopes of the Mount of Olives. According to the *Jerusalem Post*, this would significantly advance right-wing efforts to cut off the capital's Old City from the rest of Arab East Jerusalem. The plan's approval brought to an end years of secret work by Jews, headed by Knesset member Benny Elon (National Union — Yisrael Beiteinu). The park was said to be just one of 17 projects aimed at creating Jewish contiguity around the Old City. The project would eventually lead to an unbroken Jewish presence from Highway No. 1 at Shimon Hatzadik through to Abu Dis, according to the *Jerusalem Post*. To "free up" the area in advance of the declaration of its status as a national park, Elon and his associates had spent several years persuading the Israel Land Administration, currently the majority property owner, to commence land expropriation. Originally the plot had been entirely Arab-owned. According to Elon, some segments of the park were still Waqf property, but the formalization of the green zone ensured that nothing could be built in the park. The Minister with responsibility for Jerusalem, Haim Ramon, said that he had no knowledge of the park and would only comment if and when its details were made public. The *Jerusalem Post*, however, understood that Ramon was aware of many of Elon's projects, including some not yet made public. (*Jerusalem Post*, 28 May)

7. On 2 July, Attorney General Elyakim Rubinstein explained that he fully agreed that Security Council resolution 242 (1967) applied to the Israeli-Palestinian conflict as well as to Israel's disputes with other Arab countries, but that did not mean that Israel had to withdraw from all the territory in the West Bank and Gaza. Rubinstein was interviewed on *Army Radio* and was asked to explain the distinction he had made the previous week regarding the application of resolution 242 (1967) in settling the Israeli-Palestinian conflict and Israel's territorial settlement with Egypt, Jordan and Lebanon. "Whereas there was a common reference point in the negotiations with Egypt and Jordan regarding the historic international boundary in one form or another", he said, "there was no such border when it came to the Palestinians, there was no reference line such as the ceasefire line, and the 1949 armistice line was certainly not an international boundary." (*Jerusalem Post*, 3 July)

8. On 5 July, it was reported that the previous day a joint panel of members of the Knesset Law and Internal Affairs Committee had approved on first reading an amendment to the Basic Law on Jerusalem, defining the borders of the city and barring the turning over of any parts of it or of any national or municipal prerogatives over it to a foreign entity. The initiator of the bill, Yehoshua Matza (Likud), had made it clear he was referring to the reports of possible custodial or limited self-government arrangements with the Palestinians in the framework of a peace treaty, including granting the Palestinian Authority control of the Temple Mount or allowing broad autonomy in the Palestinian neighbourhoods of Jerusalem. Matza's bill, which had been sponsored by 80 Knesset members, had been approved in the plenum in preliminary reading on 17 May by a vote of 68 to 21. Minister for Jerusalem Haim Ramon (One Israel Party), the Cabinet liaison with the Knesset, told the plenum on the eve of the vote that the Government supported the bill. (*Ha'aretz*, *Jerusalem Post*, 5 July)

9. On 7 July, a senior IDF officer stated that a local land dispute near the settlement of Elon Moreh, east of Nablus, could have consequences going well beyond the small area in contention. A few months previously the residents of Elon Moreh had set up a roadblock on an access road to the settlement, close to the original entrance gate. Settlement security officials had instructed guards manning the roadblock to turn back vehicles driven by Palestinians. This denied residents of the three nearby Palestinian villages of Deir al-Hatab, Silam and Azmut free access to their farmlands adjacent to the settlement. IDF officials said that the roadblock had been erected without authorization; but IDF had done nothing. According to *Ha'aretz*, the Nablus area was rife with land disputes, some of which had recently generated violent clashes between Palestinians and Israelis near the settlements of Bracha and Itamar. (*Ha'aretz*, 7 July)

10. On 30 July, it was reported that Prime Minister Ehud Barak had assured his Cabinet that neither he nor any Prime Minister to follow him would agree to transfer control of the Temple Mount to the Palestinians. "Although Israel respects the importance of the Muslim holy sites and is willing to acknowledge a Muslim authority there, sovereignty cannot be given away, and this is the site of our Temple", Barak told the ministers. (*Jerusalem Post*, 31 July)

Settlements

11. On 3 March, it was reported that the Palestinian Authority would take action against a plan by the Israel Land Administration for renewed construction in the area of the abandoned village of Lifta, on the western outskirts of Jerusalem. The village had been vacated in 1948 and groups of hippies had been using it for temporary housing. The Israel Land Administration was planning to preserve part of the village and build 140 cottages on the rest of the land as part of a tourist area. A Palestinian organization, the Managing Committee of the Lifta Welfare Association, had announced the previous day that refugees from the village had decided "to oppose the decision by the occupying authorities to destroy the village of Lifta in West Jerusalem for the purpose of building a Jewish neighbourhood for the rich". They added that their protest stemmed from the fact that "both sides of Jerusalem are part of the negotiating process towards the final status agreement". Some months earlier, the Palestinian Authority had completed a collection of documents regarding over 6,000 assets allegedly belonging to Palestinians in West Jerusalem. (*Ha'aretz*, 3 March)

12. On 16 March, it was reported that 13 settlements in Gaza, the Golan Heights and the Jordan valley had been included on a list of 38 communities nationwide to be entitled to income tax benefits, according to a decision reached the day before by the Knesset Finance Committee. According to the list, the settlements which would receive a 7 per cent discount were Gush Katif's Gan Or, Bni Atzmon, Pe'at Sadeh and Neveh Dekalim. On the Golan Heights, the new settlements on the list were Kela Alon, Kanaf, Had Nes and Meizar. The Jordan valley settlements were Beit Ha'arava, Himdat Na'ama, Yafit and Shadmot Mihola. Meretz Knesset member Mossy Raz, former head of Peace Now, said his party would vote against the "intolerable" addition in the plenum vote. Prime Minister Barak had been elected "to change the order of priorities, and not to continue giving preference to the settlements given under the Netanyahu Government", he said, adding that the list of 13 settlements came in addition to 115 that were already receiving discounts. (*Jerusalem Post*, 16 March)

13. On 20 March, it was reported that Jewish investors were planning to build some 5,000 housing units on land bought from three Arab families of Walajeh village on the southern outskirts of Jerusalem. About half of the land fell within the jurisdiction of the Jerusalem municipality, while the other half was in Area C of the Palestinian Authority. Walajeh had been mentioned as an area that might be handed over to Palestinians as part of the final status accord. Several months earlier, Palestinian Minister Saeb Erekat had visited the mosque in Walajeh and warned the villagers not to sell land to Jews, stressing the strategic importance of the area for the Palestinians. Despite earlier talks regarding the transfer of Walajeh to the Palestinians under the final status accords, Jerusalem city planning officials and Housing Ministry experts said that it would only be natural to construct a Jewish neighbourhood on the newly acquired land. When the land sale was being discussed in the early 1990s, the then Prime Minister Yitzhak Rabin had expressed his support for this Jewish expansion in Jerusalem. He had directed IDF to plan an access road from Har Gilo to Ein Yael, although planned, it had never been built. Walajeh lay south-west of Gilo, with 2,650 dunums located within the boundaries of the Jerusalem municipality and 2,200 dunums in Area C of the Palestinian Authority. The village had originally been located in the area settled by Moshav Ora. Under an agreement between Moshe Dayan and Abdallah Tal in 1950, the residents of the village who remained under Israeli control had been transferred to Jordan. After the Six-Day War in 1967, only 30 families lived in the village, but a building boom had begun in the 1980s and Walajeh currently had about 200 homes and 1,000 residents. (*Ha'aretz*, 20 March)

14. On 28 March, it was reported that Prime Minister Barak's office had, after modifying an initial decision to freeze building on the site, said that the fate of the 230 housing units slated for construction in Har Gilo south of Jerusalem would be determined in a week's time. The Prime Minister's office stated: "In response to the recent report in the media of a new neighbourhood in Har Gilo, the Prime Minister has ordered an examination of the issue to be conducted in a positive manner and finalized within a week." (*Jerusalem Post*, 18 March)

15. On 1 April, Palestinian schoolchildren in the village of Walaje near Bethlehem demonstrated against settlement construction in their village. (*Ha'aretz*, *Jerusalem Post*, 2 April)

16. On 2 April, it was reported that 12 Jewish families were expected to join the 54 already in Hebron

to coincide with the 32nd anniversary of Jewish settlement in Hebron since the occupation of the West Bank by Israel in 1967. The families would move into two buildings built during the tenure of former Prime Minister Binyamin Netanyahu. To mark the Hebron anniversary a ceremony would be held in Jerusalem attended by the Housing Minister and the former Chief Rabbi. The VIPs were expected to speak at the event. A letter of congratulations from Prime Minister Barak to the leaders of the settlers in Hebron was expected to be read out. The Prime Minister's letter caused political uproar on the Left and Peace Now was planning a protest outside the hall. "It is the right of Jews to live in peace in the city of our forefathers, protected and safe from all harm", Barak wrote in his letter to the settlement leaders. The Director of Peace Now charged in a statement that the Hebron Jewish community was "a hard core of settlers who have proved numerous times in the past that they are not interested in coexistence". (*Ha'aretz*, *Jerusalem Post*, 2 April)

17. On 4 April, it was reported that in response to government policy and the "drying up" of communities in Judea, Samaria and Gaza, settler leaders had voted the previous day to launch a campaign that would include establishing new outposts and demonstrating at highway intersections. A major bone of contention, said a settler, was the previous week's High Court of Justice ruling that allowed 85 Bedouin to return to their cave dwellings surrounding Maon Farm in the south Hebron Hills. Following the ruling, settlers had hoped that Prime Minister Barak would allow the Jewish families evicted from Maon Farm in November 1999 also to return. It was further reported that the Hebron Jewish community the previous night had held a gala event at the Jerusalem International Convention Centre to celebrate 32 years since the "renewal of the Jewish presence" in the city. Peace Now demonstrators had protested outside, objecting to the letter Barak had sent to the settlers the week before congratulating them on the occasion. Peace Now also protested the Education Ministry's subsidization of the event. (*Ha'aretz*, *Jerusalem Post*, 4 April)

18. On 6 April, it was reported that settler leaders had returned the previous day to the site of Maon Farm in defiance of orders declaring the zone a closed military area. The settlers had been evicted from the site south of Hebron several months before as part of a compromise with Prime Minister Barak over the dismantling of settlement sites that had not been approved by the Government. (*Jerusalem Post*, 6 April)

19. On 7 April, it was reported that IDF early the previous day had removed from Maon Farm a group of settler leaders and others who had joined them during the night. The settlers said that, following a High Court decision the previous week to allow a group of Palestinian cave dwellers to return to their homes near Havat Maon, the Prime Minister's decision to evacuate the settlers should be also overturned. (*Ha'aretz*, *Jerusalem Post*, 7 April)

20. On 12 April, it was reported that the Council of Jewish Settlements of Judea, Samaria and Gaza would break ground on a construction project at a site in the Gush Etzion area, where Prime Minister Barak had ordered construction work to be frozen. On the previous day, the Council had sent seven bulldozers and a number of trucks to the Gush Etzion site, Givat Hazayit at Efrat, where the first stage in the building of a new neighbourhood in the town was being completed. Settlers had obtained almost all the necessary permits to start work in the neighbourhood's second stage (350 housing units), but they lacked authorization to sell plots in the area. Five years previously, Prime Minister Yitzhak Rabin had approved the start of construction at Givat Hazayit. Housing Minister Yitzhak Levy had telephoned the settlers at the site and told them he would do everything possible to assist them. (*Ha'aretz*, *Jerusalem Post*, 12 April)

21. On 13 April, it was reported that settlers and Peace Now activists were waging a war of megaphones in Har Gilo, with each side accusing the other of provocation as bulldozers drilled the ground where 230 housing units were slated to be built. Continuing their battle against the construction freeze imposed by Prime Minister Barak, settler leaders reached the site just south of Jerusalem where infrastructure work had been halted by the Government three weeks earlier. Shaul Goldstein, head of the Gush Etzion Regional Council, said Har Gilo was only 200 metres from Jerusalem's municipal boundary. He called on the Government to strengthen the communities in the Greater Jerusalem area and ensure land contiguity. Pinhas Wallerstein, head of the Binyamin Regional Council, said all the work at the site was legal and that a Civil Administration official, who had arrived at the site the previous day, had approved the maps and allowed the work to continue. Peace Now spokesperson Didi Remez charged "there are 11,000 units, some empty

and some under construction in the West Bank; this is an obvious attempt by the settlers to prevent any final settlement with the Palestinians". (*Jerusalem Post*, 13 April)

22. On 17 April, it was reported the Deputy Defence Minister Ephraim Sneh had begun examining the legality of work being carried out by the settlers in Har Gilo and in Givat Hazayit, in the Efrat settlement. At Har Gilo construction of 230 housing units was planned on a tract of land bordering Walaja, while at Efrat 350 units were planned as part of the second stage of construction in an existing neighbourhood where families already lived. According to the Sneh spokesperson, "the issue is complex and has to be thoroughly examined before Sneh informs the Prime Minster of the decision". It should be noted, however, that Civil Administration officials did not stop the work being carried out by the settlers because it was considered legal. The Civil Administration spokesperson: "We will implement any decision made. There is no legal basis to stop the work at the site, as it is taking place within authorized planning schemes and [stopping it] would require a directive from the Defence Ministry." (*Jerusalem Post*, 17 April)

23. On 18 April, it was reported that settler leaders had come away disappointed from a meeting the previous night with Prime Minister Barak, although he had assured them that under a final-status agreement the majority of the communities in Judea and Samaria would remain in large settlement blocks under Israeli sovereignty. (*Jerusalem Post*, 18 April)

24. On 28 April, it was reported that a group of settlers and right wing extremists had attempted to pray at a cave they claimed was the tomb of the Ramban — Talmudist, Kabbalist, and Bible commentator — in the Jerusalem neighbourhood of Sheikh Jarrah, causing a scuffle with Palestinian residents. The Abu Jabin family said it had a court order supporting its right to the cave. Several days earlier, the Jerusalem District Court had ruled that the family could build a fence around the property, but the previous morning, Knesset member Beni Ayalon (National Union) had requested and received permission from the Court to open the gate to allow Jews inside to pray. The settlers, most of whom identified with the right-wing Moledet Party, claimed the cave was where the Ramban had been buried in 1270. However, the location of his burial site was unknown: some believed he was buried at the foot of Mount Carmel, while others believed he was buried in Haifa or Acre. (*Ha'aretz*, *Jerusalem Post*, 28 April)

25. On 30 April, it was reported that the Peace Now movement had called on Prime Minster Barak to clamp down on settlement construction and implement the construction freeze he had imposed in the West Bank and Gaza following the Housing Ministry's publication of tender to the construction of 174 housing units in Ma'aleh Adumim. In December 1999, Barak had announced the freeze until the conclusion of final status talks with the Palestinians. At the time, Peace Now had charged that in the nine months since Barak had taken office, his Government had issued building tenders for 3,196 housing units in the West Bank and Gaza Strip, compared with the Netanyahu Government's annual average of 3,000 units. (*Jerusalem Post*, 30 April)

26. On 1 May, it was reported that IDF troops had forcibly removed scores of squatters from Tel Rumeida the previous day. The squatters were settlers who had moved a shipping container to the site a few hours earlier to protest the rental of two 5-dunam plots to local Palestinian families. Hebron Jewish community spokesperson David Wilder stated that the land was registered to the Jewish community, which had purchased it 150 years ago. The Civil Administration spokesperson said the land had been leased to the Abu Haika family for agricultural purposes for at least five years. (*Ha'aretz*, *Jerusalem Post*, 1 May)

27. On 1 May, it was reported that a new round of talks between Israeli and Palestinian negotiators had started off on a sour note in Eilat the day before, with the Palestinians complaining about the Government's intention to build 174 new homes in Ma'aleh Adumim. A senior official at the Prime Minister's Office said the Prime Minister had first heard of the existence of the tenders when they were made public the day before and he had not approved them, and that he would look into the situation immediately. The official indicated that there was a chance the Prime Minister would revoke the tenders. However, senior Palestinian negotiator Saeb Erehat said it was disappointing to learn that Barak had authorized the expansion of Ma'aleh Admim. "Settlements activities have cast their shadow over the true intentions of the Israeli Government", Erekat said as he arrived in Eilat. A Housing Ministry spokesperson said that the 174 units at Ma'aleh Adumim had received official approval months ago. The Ma'aleh Adumim Mayor issued a statement

declaring the town would "prosper and double its population". (*Ha'aretz*, *Jerusalem Post*, 1 May)

28. On 2 May, it was reported that Israeli security forces the previous day had evicted 50 settlers who had brought two caravans to a hilltop near the site where an 18-year-old settler had been shot and lightly wounded. The IDF spokesperson said that the settlers had offered no resistance and by noon the two caravans had been removed from the site. (*Jerusalem Post*, 2 May)

29. On 3 May, it was reported that in urging the Government to reject calls from the Right to annex areas in the greater Jerusalem region, Peace Now and Ir Shalom (City of Peace) had organized a tour of the areas the Government planned to hand over to the Palestinians. The Ir Shalom legal adviser, Danny Seidman, produced statistics comparing the demographic balance in Jerusalem and the greater Jerusalem area in 1967 and today. He charged that since 1967, Israel had done everything possible to push out the Palestinian residents. This policy, he said, had only served to worsen the demographic balance in municipal Jerusalem from an Israeli point of view. According to Seidman's figures, the population in 1967 had been 74 per cent Israeli and 26 per cent Palestinian, compared with today's 68 per cent Israeli and 32 per cent Palestinians. (*Jerusalem Post*, 4 May)

30. On 7 May, Peace Now called on Prime Minister Ehud Barak to freeze plans to construct 250 housing units (*Jerusalem Post*, 200 units) for Jews in a small section of the town of Abu Dis within the Jerusalem municipal boundaries. The group issued the protest after learning that Jerusalem Mayor Ehud Olmert had given the order to speed up the submission of the plans to the city Planning Committee for approval the following week. The new neighbourhood was to be called Kidmat Zion. Most of the Palestinian town of Abu Dis was considered Area B (under Palestinian civil control and Israeli security control), but a small section in the town's eastern sector lay within municipal Jerusalem. Peace Now accused Olmert of causing a provocation to hamper peace negotiations with the Palestinians. A Jerusalem municipal spokesperson said that "the plans for 200 housing units will soon be submitted for approval to the Committee". Planning had begun three years ago to build 350 housing units on a 70-dunam (17.5-acre) plot in Abu Dis, to disrupt the contiguity of Palestinian land, which was perceived as a threat to Israeli control of a united Jerusalem. Meanwhile, *Army Radio* reported that 600 dunams of land in the Area B section of Abu Dis, which the Government was considering transferring to full Palestinian control, was in fact owned by Jews, some of whom were living abroad. (*Ha'aretz*, *Jerusalem Post*, 7-8 May)

31. On 18 May, it was reported that the Ministry of Housing and Construction and the Israel Land Administration had released tender bids the previous day for the construction of 582 additional housing units in the Har Homa neighbourhood of Jerusalem, further to the 500 units currently under construction. The tenders had been issued two days after Housing and Construction Minister Yitzhak Levy had announced his intention to quit the Government, and left-wing Knesset member Kussi Raz charged that Levy was making a last-minute effort as a Cabinet Minister to undermine the peace process. (*Ha'aretz*, 18 May)

32. On 1 June, it was reported that the right-wing associations behind the plan to build a Jewish neighbourhood in Abu Dis in East Jerusalem were organizing to establish greenhouses or an agricultural farm and fence off the area initially approved for the new Jewish neighbourhood by the Jerusalem municipality. The associations also planned to have guards and maintenance workers living on the site, in an effort to guarantee Jewish possession of it even before final approval of the detailed plans for the neighbourhood. Legal opinions obtained by right-wing groups in Jerusalem, had determined that it was already legal at this stage to make agricultural use of the land. Israeli security sources stated that right-wing groups had acted similarly in Ras Al-Amud and in the Christian Quarter, where guards and maintenance workers were first allowed to live, prefatory to establishing a permanent settlement. In the meantime, the army, the police and General Security Service all recommended erecting a fence between Jerusalem and the bordering the Arab neighbourhoods to be handed over to the Palestinian Authority. (*Ha'aretz*, 1 June)

33. On 4 June, it was reported that Prime Minister Ehud Barak had said two days earlier that Israel should view the attainment of an agreement with the Palestinians in which 80 per cent of the settlers remained under Israeli sovereignty as a historic achievement. Barak's speech reflected his election promise that the majority of the settlers, but not necessarily the settlements, would remain under Israeli sovereignty if and when an agreement with the Palestinians was reached. (*Ha'aretz*, 4 June)

34. On 11 June, it was reported that a group of yeshiva pupils led by Knesset member Beni Elon (National Union — Yisrael Beiteno) had vacated Jewish-owned land in Abu Dis three days earlier, just minutes before Israeli security forces had arrived to forcibly remove them. A month earlier, the Jerusalem Municipality had authorized the start of zoning work for a 200-unit Jewish neighbourhood in Abu Dis, though the permit did not authorize actual construction there. (*Ha'aretz*, 11 June)

35. On 12 June, it was reported that the previous day settlers in Hebron had held a dedication ceremony for Beit Hashisha, a new apartment building near the Avraham Avinu quarter that would house six families and had been built in memory of six Jewish men killed by a terrorist on their way home from synagogue in May 1980. Knesset member Mossy Raz (Meretz) said that the decision to allow additional families to move into Hebron was disappointing and unfortunate; he called upon the Government to oust all the settlers from Hebron as Israel approached the signing of a final status agreement with the Palestinians. (*Jerusalem Post*, 12 June)

36. On 21 June, it was reported that, in anticipation of possible violence with Palestinians, in recent days, IDF had intensified its defensive measures around the perimeters of settlements in the West Bank and Gaza, including bringing in additional supplies of arms and increasing the training of personnel. IDF was considering supplying smoke grenades and rubber-coated bullets to troops who were usually equipped with live ammunition. In preparation for low-intensity confrontations, various scenarios were being considered in view of what had transpired in southern Lebanon during the Israeli withdrawal, when unarmed Palestinians had approached a settlement's fences. "If such a column reaches an Israeli settlement, we shall deal with it as we should and we shall ensure that no Israeli is hurt", an IDF source stated to *Ha'aretz*. The officer emphasized that the response would depend on the situation. "The policy is clear; we have a response to all scenarios. Whoever reaches the fence of a settlement, as far as the settlement is concerned, is a threat to lives and IDF must fulfil its defensive role." In related news, it was reported that IDF had declared an agricultural plot adjacent to Neveh Daniel in Gush Etzion a closed military zone, after scores of settlers had attempted to prevent Palestinians from working on the plot, claiming that such work was illegal. (*Ha'aretz*, *Jerusalem Post*, 21 June)

37. On 26 June, it was reported that the Housing Ministry's approval of NIS 12 million for infrastructure work on Givat Hazayit near Efrat, where 800 housing units were planned, had generated harsh criticism from Peace Now and Knesset member Mossi Raz (Meretz). According to a Channel 2 report, the Ministry had approved the funds three days earlier. (*Jerusalem Post*, 26 June)

38. On 27 June, it was reported that in the previous two weeks settlers in the West Bank had ended a lengthy hiatus and resumed construction and earthwork on land belonging to Palestinians, leading in some cases to violent clashes, IDF sources reported. According to military sources the recent activity included the following: Near the settlement of Bracha, west of Nablus, Israelis had set up a wooden structure together with a container and a generator on land belonging to Palestinians, apparently with the intention of opening a kiosk. In another development, it was reported that settlers and Palestinians had clashed the previous week near the settlement of Itamar, close to Nablus, when Palestinians had tried to rip out a fence erected by the settlers on privately owned land. Several Palestinians had been hurt. Also, it was reported that an illegal road had been built on Palestinian land near the settlement of Elkana. Finally, it was reported that settlers had sabotaged a Palestinian farm near the settlement of Neveh Daniel in the Etzion Block, south of Jerusalem. The previous Friday, settlers had staged a large demonstration in the area during which they caused tens of thousands of shekels in damage to Palestinian equipment. In reaction to an IDF complaint that police at the site had displayed indifference to the events, a police spokesperson said that although the police had not intervened, the force "had documented and recorded everything that happened". He said that everyone involved would be interrogated "and files will be opened against all of them". (*Ha'aretz*, 27 June)

39. On 4 July, it was reported a verbal dispute had broken out between Palestinian policemen and IDF troops near Alei Sinai, when the Palestinians had attempted to prevent settlers from erecting a fence in an area under Israeli control. The IDF spokesperson said that IDF had pushed the Palestinian policemen away from the site. In response to the incident, IDF had prevented Palestinian trucks from entering Israel via the Erez checkpoint. A Palestinian officer stated that

the Palestinian forces had clashed with IDF troops after "attempts to stop expanding the settlement" had failed. He charged that work on the fence had been carried out for three days and accused the settlers of moving the fence in an attempt to expand the community. He claimed that some 300 IDF soldiers and tanks had been deployed in the area. (*Jerusalem Post*, 4 July)

40. On 16 July, it was reported that IDF soldiers and police had evicted some 70 settlers who had tried to erect a new encampment on Givat Hatamar in Efrat, to protest against making further territorial concessions to the Palestinians at the Camp David summit. Two of the settlers had been detained for questioning. The settlers vowed to continue their struggle to maintain a presence on the hilltops throughout the West Bank, including at those sites dismantled in an agreement between Prime Minister Ehud Barak and the Council of Jewish Communities in Judea, Samaria and Gaza. (*Ha'aretz*, *Jerusalem Post*, 17 July)

Roads

41. On 6 April, it was reported that 11 days earlier, the Jerusalem Municipality had expropriated 658 dunams in East Jerusalem. Of the total, 543 dunams were earmarked for the eastern ring road, which was intended to divert vehicles travelling between Bethlehem and Ramallah, currently going through Jerusalem, to the edge of the city's eastern boundary. The other 115 dunams were earmarked for lateral roads that would connect to the ring road. The expropriated land belonged to residents of five villages: Issawiya, a-Tur, al-Azariya, Abu Dis and Ras al Amud. The project had been authorized by the ministerial committee headed by Minister Haim Ramon, after receiving permission to proceed from Prime Minister Ehud Barak. The road was important to Israel since it would keep Palestinian traffic on the Bethlehem-Ramallah axis out of the centre of Jerusalem. (*Ha'aretz*, 6 April)

42. On 11 April, the Defence Ministry adviser on settlements, Yossi Vardi, told the Knesset Defence Budget Committee that 12 bypass roads in the West Bank would be completed by the end of 2000. He said that the previous Government had approved construction of the roads, whose budget amounted to NIS 273 million. Work had begun the year before, he said, but had been halted because the Public Works Department had not received funding for their contractors. With the money provided by the Government during the current year, the project was again under way. (*Ha'aretz*, *Jerusalem Post*, 12 April)

43. On 11 May, it was reported that the security establishment had recently authorized the construction of a bypass road leading to the settlements of Tekoa and Nokdim, south-east of Bethlehem. Palestinian land in the area of the villages of Za'arta and apparently also Beit Sahour will have to be appropriated to pave the road. Palestinians had expressed vehement opposition to the construction of the highway. One of the leaders of the opposition to the highway was Salah Te'amari, a senior Palestinian Authority official, whose family owned a lot of land in the area of the future highway. The road, highway 356, had been authorized following repeated postponement of the committee in charge of planning and construction in the Civil Administration on the West Bank. Another bypass in the advanced planning stage was Lahav-Eshkolot road in the southern Mount Hebron area, which also depended on the appropriation of Arab land. Knesset member Mussi Raz (Meretz) lambasted the decision to pave the highway. "The supporters of the peace are sick of the Prime Minister's hypocrisy and his breaking of promises, especially the promise to suspend all construction of houses and bypass roads in the territories". (*Ha'aretz*, 11 May)

Housing

44. On 1 March, it was reported than an official from the Interior Ministry had counted 20,000 illegally built structures standing currently in East Jerusalem, providing the first such estimate ever tallied by an Israeli public servant. In 1999, the Jerusalem Municipality had carried out only a small fraction of the demolition orders it had issued for illegally constructed building. Only 17 of 141 such orders had been carried out. Palestinians justified the continued illegal construction in East Jerusalem by contending that it was virtually impossible for them to obtain building permits. (*Ha'aretz*, 1 March)

45. On 7 April, it was reported that IDF had agreed to a request from the Civil Rights Association to stop evacuating several dozen families living in caves south of Hebron who were not among the cave dwellers who had won a court petition to return to their homes. The High Court the week before had ordered the army to allow the cave dwellers to return home and to preserve the status quo. IDF had said that the area was a firing zone, and according to the Civil Administration and the

Defence Ministry, the cave dwellers were trespassers. In their petition to the High Court, the cave dwellers said they had been living there for generations and wanted to preserve their way of life. IDF had obeyed the court order covering those who had brought suit and had allowed them to return home but some 20 others, who were not among the appellants, had begun receiving army evacuation orders two days previously. (*Ha'aretz*, 7 April)

46. On 24 April, it was reported that the previous day IDF had destroyed five Palestinian homes in various stages of construction near the villages of Issawiyeh and Anata in north-eastern Jerusalem. The demolitions, which had been carried out in the middle of the night, had met relatively little resistance, and only one Palestinian had been hurt after a scuffle with soldiers. It was IDF's second round of home destructions in the previous several weeks. Following the most recent round, the Palestinians had begun to rebuild the toppled structures. An IDF spokesperson said that the army, with the help of the civil administration and the police had dismantled and removed tents in which some village families had been living for 10 days, and had destroyed four structures and the foundations of a fifth. However, a representative of the Issawiyeh Council for the protection of the village's land, Omar Darwish, said that the IDF soldiers had arrived with no advance warning and evacuated the residents before destroying 6 homes and 48 tents, leaving more than 80 persons homeless. He also claimed that some 150 olive trees had been uprooted in the operation, although the army had subsequently denied that any trees had been removed. The houses had been built on land included in the blueprint for the city of Ma'aleh Adumim, designated as "state land". For their part, the Palestinian homeowners said that they had documents proving that the land was theirs, but that they did not have building permits, since such documents were all but impossible to obtain from the Israeli authorities. Darwish claimed that the property in question had been owned by the village since the Ottoman period. He claimed that the village's 8,000 residents suffered from a severe housing shortage, with only 664 dunams of their land designated for residential construction. There were currently 800 residents without housing. The Village Council had submitted requests to the civil administration to expand the area of construction since 1972, but the requests had met continual refusal. Darwish said that a large portion of the village's 12,000 dunams had been handed over to the neighbouring Jewish settlement of Ma'aleh Adumim over the years. "Is it logical that a person should come from Russia or from Europe and live on my land, and eject us from it?" Darwish asked. Ma'aleh Adumim controlled some 50,000 dunams, including a recent expansion of 12,000 dunams, and currently housed some 24,000 residents. Amnesty International in a report in December 1999 stated that Israel has rendered about 16,700 Palestinians homeless by destroying at least 2,650 houses since 1987. (*Ha'aretz*, *Jerusalem Post*, 24-25 April)

47. On 15 May, it was reported that dozens of protesters had gathered the previous day outside the house of Nasser Jamil Aqel on Mount Scopus to protest the Jerusalem municipality's decision to demolish his house. A one-month court reprieve had been received later in the day. Several days earlier the family had been notified that their house would be demolished within 72 hours as a result of an illegal modification to the building. Although Aqel said that his father had built the house in 1951, the Hebrew University claimed to be the legal owner of the property. However, according to Aqel, all the land in the area up to the Haddasah University Hospital, including the Hyatt Hotel and the area currently containing the university's Idelson student dormitories, had belonged to his father. In 1968, that land had been confiscated by the Israeli Government; five years later, 7 dunams had been sold to Hebrew University. Aqel claimed that the transfer was illegal. A 1973 court order stated that the family could only be moved from the house if they agree to alternative housing. Yet despite an offer of US$ 5 million from the university, the Aqels had refused to move. Hebrew University, meanwhile, claimed that the Aqels and six other families were living illegally on university property and had been ordered to leave years ago. (*Jerusalem Post*, 15 May)

48. On 5 June, seven Palestinians (*Jerusalem Post*: 3) and four security officers were injured in scuffles that broke out as authorities tore down an illegally built cement house in the West Bank village of Walajeh. Israel police and border police, acting on a demolition order issued by the Interior Ministry, had guarded bulldozers sent to demolish the home of Hassan Khalifa, father of four children under the age of seven. According to the Ministry, the house had been built without a permit and therefore by law had to be razed. During the previous two years, eight homes had been destroyed by the Israeli authorities in Walajeh. The

village had been annexed to Jerusalem following the 1967 Six-Day War, but Arab villagers had not officially become part of Israel. As a result the village was part of Israel, but its people were not. The Jerusalem municipal authorities had not invested in the village over the years, and basic services such as roads or sewage system did not exist. Whatever services that the village received were provided by the Palestinian Authority. Villagers of Walajeh, including Khalifa, had tried to obtain building permits from the Israeli authorities in the past, but they were not granted because the village had no master plan, without which, it was argued, no permits could be issued. (*Ha'aretz*, *Jerusalem Post*, 6 June)

49. On 13 June, bulldozers demolished a house in the south Jerusalem village of Jabal Mukkaber, prompting charges from the Office of the Minister for Jerusalem Affairs, Haim Ramon that Interior Minister Natan Sharansky had ordered the move in a show of strength associated with the coalition crisis. Acting on the instructions of the Interior Ministry, the bulldozers knocked down a house belonging to Hamza Mugrabi, 35, father of seven children ranging in age from 1 to 13. Police arrested a demonstrator when he attempted to lie down in the path of the bulldozers. Aides to Ramon said the house demolition had violated a clear agreement between the ministers, Ramon was to be informed of any demolitions in advance. Mugrabi said the bulldozers had taken him by surprise since he had received an order to appear in court on 12 July for a hearing on the planned demolition. "Even if someone in East Jerusalem wants to act according to the law, he can't because the authorities won't let him", Mugrabi said. Moshe Mosko, deputy spokesperson of the Ministry of Interior, said demolition orders had been issued for 500 illegal structures throughout the country, mostly in Arab areas. He did not say how many of them were in the Jerusalem area. (*Ha'aretz*, *Jerusalem Post*, 14 June)

Water

50. On 19 June, it was reported that thousands of residents of Ramallah and its environs had been suffering from a severe water shortage since the previous week. According to Palestinian sources, the shortage, which was affecting some 210,000 residents of 50 towns and villages, would not have been so severe had the Civil Administration, the Israeli authority regulating activities in areas of the West Bank not under Palestinian control, been more forthcoming in its request for permits. The Civil Administration had allegedly insisted that a permit be obtained to erect a structure to house the electrical switchboard for the new pumping station north of Ramallah. Both the water well and the pumping station were in Area C, which was within Israeli jurisdiction. According to the head of the Jerusalem Water Works, Abd al-Kareem Assad, it was the worst water shortage in 35 years in Ramallah. Over the years, 30 per cent of the water needs of the area had been supplied by four walls run by the Water Works, and the rest by the Israeli water company, Mekorot. The recent drought had led to as much as a 50 per cent decrease in pumping from the four wells. Under the Oslo agreements, Israel continued to control all the water resources in Israel and the occupied territories, but the Palestinians were allowed to drill several wells in the eastern aquifer. Assad said that the shortage was also the result of a decrease in the amount of water provided by Mekorot. (*Ha'aretz*, 19 June)

51. On 28 June, waving signs reading "Thirsty for Justice" and "Palestinians thirst, settlers swim", the Israeli human rights group B'Tselem joined local Palestinians at a demonstration in the village of Yatta near Hebron in protesting the discriminatory water allocation practices in the territories. B'Tselem spokesman Tomer Feffer said that it was the beginning of a continuing campaign to make the Israeli public aware of water shortages in the territories. "We hope that we can put an end to the hypocrisy with which Israelis relate to the impending water crisis when we ignore the fact that we are depriving the Palestinians of shared water sources" he said. In a recently issued position paper B'Tselem compared consumption and distribution of water among Palestinians compared with Israelis and the residents of nearby settlements, concluding that Palestinians were consistently subject to severe water shortages, forcing them to consume an amount of water equivalent to between 20 to 25 per cent of that consumed by the average Israeli. The report also stated that, under accords reached with the Palestinians, Israel was allowing them to receive only a small portion of the shared water resources, while diverting water from the territories to areas within the Green Line. The report concluded that "human rights violations" related to water allocation would have to be addressed in the final status accord. According to Yatta Mayor Khalil Yunis, municipal officials in the town of 47,000 currently under Palestinian control had

attempted to allocate the water supply allotted to them by Mekorot by dividing the town into 14 areas, each of which received the full municipal water supply for three days. In practice, according to residents, this resulted in 30-to-40-day intervals during which residents of any given neighbourhood had no running water. Similar systems, according to B'Tselem, are in place in Hebron, Bethlehem and Jenin. (*Ha'aretz*, *Jerusalem Post*, 29 June)

2. Restrictions affecting movement of Palestinians within, between, and their exit from and re-entry into the occupied territories

Identity cards, travel permits

52. On 29 May, it was reported that the erection of a security fence to separate the municipal boundaries of Jerusalem and the towns of Abu Dis and Azzariya, slated for transfer to the Palestinian Authority, was being considered as a means of preventing violent clashes such as those between Palestinians and IDF soldiers two weeks earlier. The Government was delaying handing over the villages until it was certain that there would be no repetition of the demonstrations organized by the Palestinian Authority. The Jerusalem Forum is made up of Minister for Jerusalem affairs, the Minister of Public Security, the mayor of Jerusalem and representatives of security bodies and various government ministries. It was Jerusalem Mayor Ehud Olmert who had put forward the idea of putting up the fence. He also reportedly wanted the Ras al Amud crossing to be moved to Abu Dis junction, on the city's municipal border, so as to implement Prime Minister Ehud Barak's much-discussed policy of separation. (*Ha'aretz*, 29 May)

53. On 15 June, it was reported that Palestinians had kept Israeli consumer goods out of the Gaza Strip the previous day in protest over a strike begun six weeks earlier by Israeli civil servants which was preventing Palestinians from entering Israel for work or trade. During this period employees of Israel's military Government in the Gaza Strip had not renewed expired entry permits for Palestinian labourers and merchants. It was reported that some 3,000 Palestinian merchants had been unable to enter Israel because of the job action. Salim Abu Safya, commander of the Palestinian border police in Gaza, said that the strike had cost the Palestinian economy $5 million a day, and that an additional $1 million worth of goods was lying idle in Ashdod port. (*Jerusalem Post*, 15 June)

54. On 28 June, settlers from Neveh Dekalim blocked the road leading to Khan Yunis to Palestinian vehicles after stones were thrown at Israeli vehicles travelling on the portion of the road leading to the settlement earlier in the evening. (*Jerusalem Post*, 29 June)

55. On 9 July, it was reported that IDF had recently prevented family members of Palestinian Authority policemen from entering Israel because of the policemen's role in shooting incidents against Israeli soldiers during the Nakba incidents in May 2000. Israel had imposed sanctions against the family members, after the Palestinian Authority had refused to punish the officers involved in the shootings. (*Ha'aretz*, 9 July)

B. Manner of implementation of restrictions

1. Checkpoints

56. On 2 March, it was reported that Palestinian officials had protested the change of position of several IDF checkpoints in the West Bank, as an attempt to adjust the borders before the conclusion of a final-status agreement. Palestinian final-status negotiator Yasser Abed Rabbo said that he had presented a letter to his Israeli counterpart protesting Israel's attempts to move the checkpoints. "The Israeli army has changed the position around the borders of the West Bank in four locations", Abed Rabbo said. Two of the changed posts were near Jenin, a third was in Latrun and the fourth was south of Hebron, next to the village of Yata, Palestinian negotiator Saeb Erekat explained. Erekat said moving the checkpoints had legal implications for the final-status talks, since it unilaterally created facts on the ground before negotiating with the Palestinian Authority. A senior Palestinian Authority official said that the IDF had begun to move the checkpoints in Area C, which was still under Israeli control, six months ahead of schedule. (*Jerusalem Post*, 2 March)

57. On 31 March, it was reported that, according to the Israeli human rights group B'Tselem, there had been a significant rise recently in the number of complaints submitted by Palestinians against the police, and against the border police in particular. The complainants claimed to have been beaten at checkpoints, in particular the one at the post near Jenin.

The organization said that it had received a large number of complaints during the months of February and March. "For slaps and kicks people do not complain", said the B'Tselem spokesperson. "We get complaints only after a hospitalization." The organization had requested Public Security Minister Shlomo Ben-Ami to call an urgent meeting as it had observed a marked increase in complaints against the semi-military police force. B'Tselem drew attention to the case of Nasser Malham and his brother-in-law Ayman, who said that border policemen had beat them brutally with a flashlight and the butt of a pistol. An X-ray had revealed that Nasser was suffering from an internal haemorrhage in the left testicle, and emergency surgery showed that the haemorrhage had been caused by a beating. Nasser Malham, 33, from the village of Aanin in the Jenin district, who supported his wife and six children as a tile layer in Arab villages inside Israel, said that he had never been arrested for security reasons and his name did not appear on any list of wanted suspects. In the past he had been arrested for a day or two for being in Israel illegally. On 25 February 2000, at about 8 p.m., as he was driving his sister-in-law and her children in his car to their home in the village of Tura, accompanied by his wife's brother, Ayman, 25, they were stopped and scrutinized at two checkpoints. After taking the woman and her children home, the two men returned to Aanin. At about 9 p.m. they were stopped at the checkpoint near their village. In their testimony to B'Tselem investigators, Nasser and Ayman claimed that two border policemen had beat them when they found out that the two had no entry permits into Israel, even though the incident had occurred in the territories. According to their testimony, one of the two policemen called Nasser a "son of a whore" after he showed his magnetic card and his identity card, dragging him out of the car, beating him in the head with the butt of his pistol, kicking him in the legs, giving him a bloody mouth and knocking him to the ground. A second policeman, seeing Nasser was noting down the licence number of the jeep, dragged Malham out of the vehicle, pistol-whipped him and kicked him in the testicles. When he fell to the ground, the border policeman picked him up and handcuffed him. The same policeman then continued to beat him. The Border Police spokesperson said that the number of complaints against border police had dropped in 1999 to 187 from 263 in 1998, and that the number of the complaints of unbecoming conduct had decreased to 102 from 110. (*Ha'aretz*, 31 March)

2. Interrogation procedures

58. On 15 March, it was reported that Prime Minister Ehud Barak had said that he would favour a "minimalist law" that would enable General Security Service (GSS) interrogators to use pressure tactics against terror suspects if there is a real threat to lives. "We are not the Netherlands, and we do not live in the environment of Benelux", Barak said. "Such legislation is logical and fitting. We are a State that is faced with the constant threat of terror. Yet, on the other hand, we are a democratic State that is part of the international community. There must be sensitivity to both needs". Barak was speaking in the Knesset in response to the summons, organized by Likud Knesset member Ruby Rivlin, from 46 Knesset members to state his position on legislation to regulate GSS operations. (*Ha'aretz*, *Jerusalem Post*, 15 March)

59. On 3 April, it was reported that a Knesset subcommittee would shortly begin the final draft of a bill to regulate the General Security Service, despite Cabinet apathy towards it. The joint subcommittee would formulate the bill for its submission for second and final reading. The bill had been given first reading in the previous Knesset but had been stalled since the current Government had taken office because Justice Minister Yossi Beilin had objected to some of its provisions as undemocratic. Beilin believed that the wording of the bill granted GSS sweeping powers that were out of place in a democracy based on the transparent rule of law. (*Ha'aretz*, 3 April)

60. On 12 April, it was reported that former Attorney General Michael Ben-Yair had recommended that the General Security Service should be stripped of its investigative and interrogatory powers and limited to intelligence-gathering, leaving the authority to investigate and interrogate suspects in the hands of the police. Ben-Yair noted that after the 1994 Dizengoff Street bus bombing, the special investigative powers granted to GSS by the Government — through Ben-Yair, who at the time served as Attorney General — had only led to the agency to turn the use of those powers "into a daily routine". Explaining that the permission to use mild physical pressure had been given "only for 'ticking bomb' situations", Ben-Yair said that GSS "used it as a matter of routine, daily". In 1995, when a prisoner had died in GSS custody, Ben-

Yair had viewed the death as a watershed event and had decided to tighten supervision of GSS activities and at the same time reached the conclusion that the entire concept of "special permission" was inherently flawed. (*Ha'aretz*, 12 April)

61. On 15 May, it was reported that former State Attorney Dorit Beinish, now serving as a Supreme Court Justice, had approved an arrangement granting immunity from a trial to three General Security Service agents allegedly involved in the 1989 death of a Palestinian detainee in return for their resignation from the force, according to a letter from the head of security matters in the State Attorney's Office released the previous day. Two other agents involved in the interrogation of the Palestinian, Khaled Sheikh Ali, had been convicted of causing death by negligence and sentenced to six months in jail. After they had gone to jail, Aleph and Shin continued to claim in public that their colleagues were responsible for Ali's death. They demanded that Attorney General Elyakim Rubinstein and the State Attorney's Office reopen the case and investigate the three. Though eventually Rubinstein ordered the Justice Ministry's Police Investigating Department to reopen the file, the investigation was abruptly closed, since the investigators discovered a letter written by Beinish approving a deal granting immunity to the three agents in return for their resignation. (*Ha'aretz*, *Jerusalem Post*, 15 May)

3. Administrative detention and conditions of detention

62. On 15 May, it was reported that Sheikh Salah Mustafa Shahada, a closer associate of Hamas leader Sheikh Ahmad Yassin and one of the founders of the Hamas movement in Gaza, had been released from Israeli custody the previous day, after IDF had decided not to request an extension of his administrative detention. Shahada had been held in administrative detention since completing a 10-year sentence in 1998. He had returned to his home in Khan Yunis the previous afternoon after being released from Sharon Prison. (*Ha'aretz*, 15 May)

4. Imprisonment and conditions of imprisonment

63. On 21 March, it was reported that 10 Palestinian security prisoners had been released by Israel the previous day. This brought to 15 the total number of security prisoners released as a goodwill gesture on the occasion of Id al-Adha holiday. Five from eastern Jerusalem had been released a few days earlier. All of the prisoners were affiliated with Fatah. (*Ha'aretz*, *Jerusalem Post*, 20-21 March)

64. On 6 April, the Supreme Court accepted the State's appeal in the case of border policeman Eran Nakash, convicted him of abusing a detainee and increased his jail sentence from 14 months to three years. In doing so, the Court, for the second time in less than three months, expanded on the interpretation of a 1990 amendment to the Penal Law establishing "abuse of a minor" as a separate crime, carrying stiffer penalties than "violence towards a minor". The previous June, the State had indicted Nakash on charges of beating up and performing lewd acts on Palestinian detainees under his care. The charge sheet focused on three separate incidents. In one of them, Nakash had punched, slapped and kicked three teenage Palestinians he was transporting from one lock-up to another, pulled down his fly, ordered one of the youths to "suck him", and beat him when he refused. He also forced them to sing a song insulting to the Muslim faith. Nakash repeated much of his behaviour on the way back with another detainee. (*Ha'aretz*, *Jerusalem Post*, 7 April)

65. On 18 April, it was reported that at least four Palestinians had been wounded the previous day, when IDF troops had fired tear gas and rubber bullets to quell a stone-throwing demonstration at Rachel's Tomb, sparked by a march held to mark "Palestinian Prisoners Day". In Ramallah, the Palestinian Prisoner and Human Rights Association published its annual report claiming that Palestinian prisoners in Israeli jails were tortured. The report claimed that 300 Palestinian detainees suffered from poor health conditions and that 29 of them suffering from chronic illness had died the previous year from neglect or delayed medical care. (*Jerusalem Post*, 18 April)

66. On 25 April, it was reported that the General Security Service had recommended to Prime Minister Ehud Barak that all prisoners identified with the Fatah organization and with other groups that were part of the Palestinian Authority should be released as part of the negotiations with the Palestinian Authority. The recommendations included prisoners convicted of murdering or wounding Israelis. Apart from isolated cases, Israel had so far refrained from releasing Palestinian prisoners "with blood on their hands" within the framework of the Oslo process. As a result, GSS was against the release of Hamas and Islamic

Jihad prisoners before they had completed serving the full term of their sentences. (*Ha'aretz*, 25 April)

67. On 27 April, it was reported that Israel was ready to consider the release from prison of seven Palestinians who had been convicted of murdering Jews and had been incarcerated for more than 20 years. "It will be possible to talk about them at some stage," a senior political source said. On the evening of the Passover holiday, the Palestinian Authority submitted a new list of prisoners it wanted released, based on a clause in the Sharm el-Sheikh accord stating that a permanent committee of the two sides would discuss specific requests. In the meantime, it was reported that Barak had not accepted the recommendation of General Security Service Chief Ami Ayalon to release all Fatah organization prisoners, including those had who murdered Israelis. (*Ha'aretz*, 27 April)

68. On 11 May, the Israeli-Palestinian steering committee for outstanding interim issues was scheduled to convene in several days to try to resolve the remaining issues. The first item on the agenda would be the release of the Palestinian prisoners. Some prisoners had begun a hunger strike at the Hadarim prison some 10 days earlier, and the strike had since spread to other jails. At Nafaha prison, in Beersheba, some 155 prisoners had joined the strike. The Prisoner Club, an organization representing the prisoners and their families, reported that the health of the prisoners on the hunger strike was deteriorating and that at the Hadarim prison, 25 prisoners had had to be hospitalized. According to Palestinian Authority Minister Hisham Abdel Razek, the prisoners were demanding that they should be released as part of the final peace accord due in September, and that this should be spelled out in the framework agreement. "Israel is refusing to include this phrase in the agreement", he said. The Palestinians had submitted a list of 23 prisoners who were old and sick or had served very long jail sentences and were asking Israel to release them immediately. (*Jerusalem Post*, 12 May)

69. On 1 June, it was reported that 900 Palestinian security prisoners being kept in Israeli jails had called off a month-long partial hunger strike after they had been promised that their conditions would be improved. Israeli officials, meanwhile, denied that an agreement had been reached with Palestinian negotiators over the release of Palestinian security prisoners. With the easing of restrictions, security prisoners would be able to enjoy visits from second-degree relatives, in addition to parents or spouses. A Prison Authority spokesperson noted that the change would allow women, children and adults over the age of 50 to visit the prisoners. A link-up to additional television stations would be provided, and prisoners who needed to contact their families in humanitarian cases such as births or deaths would be able to telephone them, with necessary precautions. It was also reported that the Prison Authority Commander had established a committee to examine the conditions of the security prisoners. (*Jerusalem Post*, 1 June)

70. On 5 June, it was reported that the Minister for Public Security and the National Police Chief had been told that conditions at the Shahta prison were unfit for prisoners. The Northern District Public Defender and his deputy presented the two senior officials with a report on the living conditions at the jail compiled after a harrowing visit. According to the report, the prison wing holding Palestinians caught for illegally residing in Israel was nothing more than a fenced-in compound consisting of 10 tents. The report stated that "living conditions were particularly harsh and we do not believe it is proper to hold prisoners under such conditions. The tents are not meant for long-term occupation and the weather causes the prisoners much discomfort." The prisoners' showers, which also serve as toilets, were found to be not properly maintained were unfit for human use. Prisoners told the Public Defender that they were often collectively punished by wardens forbidding them to use telephones or to receive visitors. Some prisoners also accused the wardens of violence. The deputy head of the prison denied the accusations, saying that the only possible solution to conditions at the compound was to construct a new purpose-built wing. (*Ha'aretz*, 5 June)

71. On 12 June, it was reported that a shortage of plastic lamination had caused a delay at the Civil Administration in issuing visitors' permits for 600 Palestinians with relatives being held in Israeli prisons. The permits had already been approved by the security services and had been printed, but they first had to be laminated before being distributed to residents of the territories, via the Red Cross, whose management liaison department is headed by an IDF officer. A strike by civilian employees of the Civil Administration since the beginning of May, however, had delayed the processing of the request via the Finance Ministry representative to the administrative body. The civilian employees were striking to secure a severance package

if and when the Civil Administration was abolished. As part of the sanctions, the workers were refusing to provide assistance to about 3 million Palestinians and had suspended all administrative duties linked to traffic, population registry and bringing in imports from abroad. At least 100 of the 600 permits being held up were one-time permits for Palestinian families usually denied permits by GSS for alleged security reasons. The families often had not seen their relatives for months and even years, and they often included elderly parents or wives. The case of 70-year-old Awed Kamil was not an uncommon one. He had been stopped from regularly visiting his son since January 1999. Sara Rajoub, 42, had been prevented from visiting her husband, who had been sentenced to eight years' imprisonment in 1996. The one-time permits were finally granted at the end of May 2000, following a long campaign by HaMoked (the Centre for Defence of the Individual) and the attorney Tamar Peleg. (*Ha'aretz*, 12 June)

72. On 19 June, Israel released three Palestinian security prisoners involved in terror attacks resulting in the wounding of Israelis, despite an attempt by the " Terror Victims Association" to stall the release until their appeal had been heard in the courts. A Fatah official stated: "We welcome the release of any prisoner, but when we talk of 270 prisoners as a first step, 3 prisoners is not enough, but if these prisoners are those who spent over 20 years in jail, then it is an important beginning." There are seven such prisoners in Israeli jails, all of whom belong to Fatah. All in all, about 400 Fatah activists remain in jail. The majority of the remaining 1,650 prisoners belong to Hamas and Islamic Jihad. The Palestinian Authority was demanding that Israel released all prisoners as part of the framework agreement. (*Ha'aretz*, *Jerusalem Post*, 16-20 June)

73. On 2 July, it was reported that the Israeli police had launched a joint investigation with the Palestinian police into the killing of 34-year-old Ahmed Amer Sabatin, from the Aroub refugee camp, whose body had been as found lying next to his vehicle not far from the IDF post near Telem, outside Hebron, shortly after noon the previous day. Although *Radio Palestine* claimed he had been killed by a settler, an Israeli police spokesperson in the occupied territories said it believed that the victim had been shot by other Palestinians, adding that the motives appeared to be criminal. (*Ha'aretz*, *Jerusalem Post*, 2 July)

74. On 2 July, it was reported that IDF was preparing to use vehicles once used to dispel violent clashes with civilians during the early stages of the intifada, in anticipation of serious disturbances in the West Bank and Gaza in coming weeks surrounding a Palestinian declaration of statehood. IDF had made assessments predicting that an imminent unilateral Palestinian declaration of independence in September might cause riots to break out in the occupied territories. IDF was preparing various types of equipment for use in upcoming weeks, including "Hattzatzit", a crowd-dispersing weapon that shoots out thousands of pieces of gravel at a distance of hundreds of metres. However, some IDF officers had criticized the weapon's effectiveness, saying the vehicle was slow and fraught with technical difficulties. (*Ha'aretz*, 3 July)

75. On 4 July, it was reported that the State Prosecutor's Office had written to the Public Committee against Torture saying that conditions of prisoners held by GSS had become more hygienic and comfortable. Nevertheless, the PCAT stood by its earlier complaint that prisoners were being tortured, in contravention of the September 1999 Supreme Court decision outlawing such practices. The previous year the Committee had complained about GSS torture to Attorney General Elyakim Rubinstein and Justice Minister Yossi Beilin. Attorney Talia Sasson, director of the Special Assignment Department at the State Prosecutor's Office, had written to the Director General of the Committee, Hana Friedman, emphasizing the improvements in the GSS prison system, such as renovation of the cells, including the installation of sinks and ventilation system. Sasson said that there was a possibility of "further improving the conditions of the prisoners in terms of laundry, clothes and linen supplies, cleaning materials, towels, toothpaste and shaving cream, and increasing the quantity of food". The Committee issued a statement in response, saying that despite "the importance of clean laundry, we hope that the State Attorney understands the importance of issue on a broader scale. We demand that the State Attorney's Office complete its investigation into cases of torture and that those responsible be brought to face trial, and that it ensure that the decision of the Supreme Court is complied with." (*Ha'aretz*, *Jerusalem Post*, 4 July)

5. Question of the use of force

76. On 14 March, it was reported that the Magistrate's Court in Afula had ruled that the State should compensate five Palestinians, citizens of the West Bank town of Kabatya, in the amount of NIS 670,000 for having been beaten and having their legs and hands broken by Israeli soldiers during the intifada period. According to the Court's ruling, the State had not proved that the plaintiffs had been arrested for their participation in riots and stone-throwing; furthermore, even if it were to have been proved, "breaking the fingers of the plaintiffs cannot be considered as an instance of practising reasonable force". Hussain Abu Hussain, the plaintiffs' lawyer, stated that the Court's decision "presents a rare case of a court delivering a ruling over the breaking-bones policy". (*Ha'aretz*, 14 March)

77. On 20 March, a Palestinian woman, Hilmiyah al-Tus, 45, was shot and killed by IDF soldiers and her husband, Mahmoud, 50, was seriously wounded in an incident which occurred at an impromptu army roadblock on a narrow side road between the villages of Haris and Tzurif in the West Bank. The commander of the IDF Bethlehem Brigade, Colonel Marcel Sagiv, recommended that disciplinary measures be taken against the soldiers involved for firing inaccurately and for improperly establishing a makeshift roadblock. The couple has 12 children, ranging in age from 2 to 28. The funeral was held in the dead woman's village, Ja'ba, south-west of Bethlehem. Mahmoud al-Tus, a construction worker in Israel, was treated in a Hebron hospital. Several residents of Haris, who took the wounded man to the hospital and heard his account of the incident, spoke with a fieldworker of the B'Tselem human rights organization and with *Ha'aretz*. Apparently, when Mahmoud al-Tus had spotted the unexpected roadblock, which had been set up following the shooting of two Israelis at nearby Tarqumiyah and was manned by reservists from the urban settlement of Kiryat Arba, he had decided to turn around since he did not have the registration for the car he was driving. According to the IDF spokesperson, "he turned wildly and tried to get away and run over one of the soldiers". However, he told the people who evacuated him that he had stopped and turned around at some distance from the roadblock. Wounded, his wife bleeding next to him and with one tire punctured by a bullet, he managed to drive another 4 kilometres to the first house in the village of Haris. Villagers in nearby Nuba, where his wife has relatives, and where the car was towed, counted at least 20 bullet holes, mainly in the rear and sides. The rear windshield was shattered. A senior IDF officer told *Ha'aretz* that the army had "expressed its regret to the Palestinians. There were shortcomings in the operation of the force but it is difficult to blame the soldiers who opened fire. They believed they were in mortal danger, and the driver's behaviour led them to believe that the driver of the vehicle was from the group that perpetrated the terrorist attack at Tarqumiyah." (*Ha'aretz*, 22 March)

78. On 2 April, it was reported that two days earlier a police officer had shot and killed a Palestinian after he had run a roadblock in Anata. Police said they set up the roadblock after being informed of the presence of armed Palestinians in a house in the village. A car carrying two Palestinians crashed into two police vehicles and tried to escape, as one of the Palestinians threw a bag out of the car which was later found to contain drugs. Police opened fire, hitting one of the Palestinians, who later died of his wounds. Police did not release the man's identity. (*Ha'aretz*, *Jerusalem Post*, 2 April)

79. On 5 April, it was reported that Palestinians protesting against what they said was the expansion of the Karmei Tzur settlement had clashed with IDF troops near Hebron the previous day, and four demonstrators had been wounded, according to witnesses. Soldiers had fired rubber bullets as about 60 Palestinians from Beit Umar hurled stones. (*Jerusalem Post*, 5 April)

80. On 18 April, it was reported that three days earlier, a number of settlers had been involved in the assault on 70-year-old Thahab al-Najjar from Borin village south of Nablus. According to affidavits from the victim and her rescuer, Khaled Dahoud, the elderly woman was making her way to her land to pick some fruit when she was attacked by five settlers who pushed her to the ground. One of them dragged her from the main road while others kicked her in her legs and arms. The elderly woman survived the attack, but suffered bruises, wounds and shock. A police spokesperson confirmed that the incident had occurred and that Najjar had submitted a complaint to the police on 15 April. He stated that the police was exerting its best efforts to find the suspects. (*Ha'aretz*, 18 April)

81. On 10 May, five Palestinian demonstrators and an IDF soldier were wounded lightly in a clash by

Rachel's Tomb in Bethlehem. The protest, a display of solidarity with the 1,650 Palestinians in Israeli jails on security-related charges, turned violent when a group of 500 demonstrators began hurling rocks at IDF soldiers. One soldier was hit and lightly wounded and troops responded with rubber bullets and tear gas, described by an IDF spokesperson as a regular "method of dispersing riots". Demonstrators burned tires and blocked main streets in what the *Voice of Palestine* radio described as a week-long series of demonstrations near the offices of the International Committee of the Red Cross in support of the security-related prisoners on hunger strikes in Israeli prisons. (*Ha'aretz*, 11 May)

82. On 11 May, the Tel-Aviv district court rejected a plea of insanity by Gur Hamel, a settler from the Etamar settlement in the West Bank. Hamel had been convicted of murdering a Palestinian farmer, and had been given a life sentence by the Court. He had killed 68-year-old Ahmed Suleiman Khataba in October 1998. In his defence he claimed that "the deceased attacked the defendant. He responded, killing Khataba. The defendant pleads self-defence and emotional disturbance." The court, however, did not regard Hamel's psychological problems as beyond his control. (*Ha'aretz*, 12 May)

83. On 11 May, a panel of seven Supreme Court justices overturned a decision by the Prison Parole Board and denied early release to convicted murderer Yoram Skolnik, who had shot dead a handcuffed Palestinian. The panel ruled that his release would pose a risk to public safety. Skolnik had been given a sentence of life imprisonment in 1993 for fatally shooting a captured Palestinian whose hands and feet were bound at the time. The Palestinian was suspected of stabbing an Israeli. The Supreme Court's decision was given in response to a petition submitted by Meretz Knesset member Zehava Gal-On, and backed by the Attorney General, against the parole board's plan to release Skolnik on 7 April 2000, after having served only seven years in jail. Gal-On had argued in her petition that the parole board's decision did not take into account the severity of Skolnik's act, particularly the moral aspect of killing a helpless, incapacitated person. She also claimed that the board had not properly weighed the danger Skolnik posed to the public. Skolnik had been convicted of the murder of Abu Sabah on 23 March 1993. Earlier that day, Sabah had been hitchhiking and was picked up by two settlers, who later claimed he attacked them with a knife. He stabbed one but they managed to subdue him, tied his hands and feet and, following a body search, found a grenade on his person. Skolnik heard of the incident on his radio and drove to the area. When he saw the Palestinian on the floor, he pulled out his Uzi sub-machine-gun and shot the man, remarking as he did so, "We must kill them because this is a war" and "good riddance". Skolnik had originally been sentenced to life imprisonment but the sentence was commuted to 15 years and later to 11 years by President Ezer Weizman. In March, the parole board approved Skolnik's request for a reduction of his sentence by a further one third for good behaviour and decided to release him on 7 April 2000. (*Ha'aretz*, *Jerusalem Post*, 12 May)

84. On 14 May, it was reported that clashes between Palestinians and security forces in the West Bank were continuing, leaving 60 Palestinians hurt. The security forces had reinforced their presence in the West Bank in anticipation of more protests to mark "Naqba Day" ("Day of Catastrophe") the following day, 15 May, the 52nd anniversary of Israel's declaration of statehood. The previous day marked the second day of intense clashes between security forces and Palestinians demanding the release of Palestinian security prisoners. The IDF spokesperson denied claims made the day before by the Tulkarm Hospital director that one of the 40 Palestinians admitted for treatment there had suffered a bullet wound to his hand. The previous day hundreds of Palestinians had rioted in Hebron, at the western entrance to Tulkarm and at the northern entrance to Jenin, throwing stones, firebombs and bottles and burning tyres. In Hebron, IDF soldiers had shot rubber bullets and tear gas at dozens of Palestinians who burned Israeli and American flags and threw stones, lightly wounding 11 people, including a photographer for the *Agence France-Presse*. Other clashes had taken place at the IDF roadblocks north of Kalkilya and at Rachel's Tomb outside Bethlehem, where 15 Palestinians were wounded by IDF soldiers, according to *Army Radio*. According to Palestinian hospital officials, one of the wounded was a 9-year-old boy, who had been shot in the eye. (*Ha'aretz*, *Jerusalem Post*, 14 May)

85. On 15 May, it was reported that IDF sent additional forces into the territories as clashes continued, with demonstrators demanding the release of Palestinian prisoners held in Israel. Tensions were

expected to mount as the Palestinians marked their 1948 "Naqba" (disaster), the foundation of Israel. In the northern West Bank city of Kalkilya, Samar Ahmad Awartani, 17, had been killed in a clash with Israeli soldiers, according to a doctor at the local hospital. Another 12 demonstrators had been injured by rubber-coated steel pellets, he added. The demonstrations that had begun a week earlier in the West Bank had spread to the Gaza Strip the day before. Hundreds of Palestinians blocked the Nezarim Junction and threw Molotov cocktails at an IDF outpost. At the Megiddo prison, hundreds of prisoners rioted and set fire to their tents. Hundreds of security prisoners in Israel were also continuing a hunger strike to demand their release. (*Ha'aretz, Jerusalem Post*, 15 May)

86. On 16 May, it was reported that Palestinian protests had spun out of control the previous day and escalated into gun battles between Israeli troops and Palestinian police that left five Palestinians dead and more than 320 injured in the worst Israeli-Palestinian unrest in several years. An Israeli Army spokesperson said that 10 soldiers had been wounded, including five hit by live rounds. In addition, seven journalists, Palestinians and foreign correspondents, had been wounded, some of them by gunfire. One Palestinian photographer employed by the German News Agency who was standing on the "Israeli" side had been seriously wounded. The clashes, the first involving Palestinian police firing on Israeli soldiers since the rioting in September 1999 over the opening of an Israeli-excavated tunnel in the Old City of Jerusalem, were sparked by Palestinian protesters marking the "Naqba" (catastrophe), commemorating the establishment of the State of Israel 52 years ago. (In 1998, five people had been killed in rioting on May 15.) Enraged by the lack of progress on the freeing of Palestinians security prisoners, Palestinian took to the streets throughout the West Bank and the Gaza Strip in what began as a protest march but then escalated into violence by the afternoon, particularly in Ramallah, Jenin and Nablus. Across the Palestinian-held areas, thousands of Palestinians battled Israeli soldiers with rocks and firebombs. Streets were littered with stones, and white clouds of tear gas and black smoke from burning tyres rose into the air. Two Palestinian policemen and two Palestinian demonstrators were killed in clashes in Ramallah and Nablus, site of the fiercest clashes. In Ramallah, about 400 Palestinians at first hurled stones and firebombs at Israeli troops. "We went out and threw stones at Israeli soldiers", said Fayez Akub, a 30-year-old marketing student who was hit in the face with a rubber bullet. "There was a lot of anger and frustration, then the soldiers started shooting heavily." Israeli sources said soldiers initially responded to the Palestinians with rubber-coated steel bullets and tear gas. But at about noon, Palestinian police shot over the heads of the demonstrators at Israeli soldiers, initially hitting an officer of the Israeli military police. The Israeli commander of the division in charge of the area, Colonel Gal Hiresh, then ordered his troops to respond with restraint but as the violence worsened he told them to direct their fire at the shooters. At one West Bank junction, Israeli snipers commandeered a Palestinian-run hotel and took aim at Palestinian gunmen hiding in building nearby. Hotel guests and staff, including nine Americans, were trapped in the lobby. One Palestinian guest who ventured outside was shot and wounded by snipers fire. (*Ha'aretz, Jerusalem Post*, 16 May)

87. On 21 May, it was reported that more than 100 Palestinians and 6 IDF soldiers had been wounded in the clashes over the weekend in the occupied territories. An IDF soldier was seriously wounded during an exchange of fire between IDF and the Palestinian police near Nezarim in the Gaza Strip. Palestinian medical sources said Israeli soldiers had wounded more than 50 Palestinians, including a *Reuters* cameraman, during clashes near Jewish enclaves in Hebron the previous day. Over the previous 10 days, 5 Palestinians were killed and over 600 wounded in the most violent clashes in years. (*Ha'aretz, Jerusalem Post*, 21 May)

88. On 22 May, it was reported that 15-year-old Sado Al Hawarin from Al-Thahiriya, Hebron District, had died from injuries he sustained during clashes on 15 May 2000 at the northern entrance to Al Bireh. Al Hawarin was the sixth person to die since the start of the demonstrations by Palestinians to commemorate the 1948 Naqba day and express their solidarity with Palestinian prisoners. (*Ha'aretz*, 22 May)

89. On 22 June, it was reported that Israeli security forces had shot and seriously wounded an armed Palestinian man in his fifties who had aimed his weapon at them at a roadblock near Beit Sahur. Safu Rha'adi, an Islamic Jihad activist, was in serious condition at Hadassah-University Hospital, where he underwent surgery for several bullet wounds. The IDF spokesman said security forces on operational duty in the area had set up a roadblock between Obaddiyah and

Beit Sahur. A taxi reached the roadblock and an armed Palestinian got out and aimed his weapon at those manning the roadblock, who immediately returned fire. (*Jerusalem Post*, 23 June)

90. On 28 June, Palestinian policeman Youssef Abu Nahal died of wounds sustained in a clash with IDF soldiers the previous month, his family said. The death of Abu Nahal, who had been shot in the stomach in Ramallah, raised to seven the number of Palestinians killed during nine days of violence in May, in which some 1,000 Palestinians were wounded. In another development, it was reported that Palestinians had buried the body of a Hamas suicide bomber who had blown himself up on an Israeli bus in August 1995 in Jerusalem, killing himself and four others and wounding about 100. Sufian Jabarin, whose body was handed over by IDF, was buried in his village, Dahariyah, near Hebron. (*Ha'aretz*, *Jerusalem Post*, 30 June)

91. On 9 July, a Palestinian woman, Aatidal Muamar, 33, was shot dead and five others were wounded when IDF soldiers opened fire near Kfar Darom settlement in the Gaza Strip. Muamar's husband and her seven-month-old son were in critical condition in a hospital in Israel. Another son, a daughter and a passenger in a second car were also wounded. The funeral of the mother of eight was held with full military honours. IDF announced that the soldiers had accidentally fired at the taxi in which the family was travelling as the soldiers were returning the fire of another vehicle from which shots had been fired at the IDF outpost in the area. According to the military sources, "the soldiers made a mistake, but the error is linked to the contradictory message they received from the army". Israel issued a formal apology to the Palestinian Authority over the incident, which had occurred during the night, on the road from Gaza to Khan Younis. The soldiers testified that shots had been fired at an IDF outpost on a bridge linking the settlement and the army position. Palestinian sources described the IDF explanations as "excuses". In an official statement, the Palestinian Authority said that the incident showed "that the presence of settlers in proximity to Palestinian populations causes trouble; to have peace in the region, it is necessary to uproot all the settlements". (*Ha'aretz*, *Jerusalem Post*, 10 July)

92. On 10 July, it was reported that IDF had suspended a lieutenant and a sergeant for their role in the fatal shooting of a Palestinian woman and the injury of several others near the Kfar Darom settlement in the Gaza Strip on 9 July. According to the army report, there were serious shortcomings in the way the IDF force operated in the incident, though the reason for suspending the two were not made public. According to the investigations, the soldiers had been quick to fire; "however, the wrong decision, made by the officer of the force, to act contrary to the regulations, has resulted in the tragic results of the incident". The incident was one in a long series of mishaps in recent years at IDF positions in the territories. Five Palestinians, two of them mothers, had been killed since 1998, owing to "misunderstandings" at IDF roadblocks. In no case had IDF taken serious disciplinary measures against the soldiers, and the reprimands had never amounted to anything more than suspensions. (*Ha'aretz*, *Jerusalem Post*, 11 July)

93. On 27 July, the Supreme Court held a hearing on the State's appeal against the acquittal of Nahum Korman, the security coordinator of a West Bank settlement, on the charge of killing an 11-year-old Palestinian boy, Hilmi Shusha, four years earlier. In Korman's trial in the Jerusalem District Court, the prosecution had charged that Korman, while chasing a group of boys who were throwing stones, had seized the boy, kicked him and hit him in the head with a rock, causing a brain haemorrhage leading to his death. Judge Ruth Ohr had acquitted Korman because she found contradictions in the testimony of the prosecution eyewitnesses, two cousins of Shusha. She also said that the coroner, Prof. Yehuda Hiss, whose autopsy findings had been cited by the prosecution, had too readily believed the cousins' testimony. She had acquitted Korman without asking him to relate his version of the incident. In its appeal, the State had argued that the judge had not been presented with an acceptable explanation of the child's death that could override the coroner's findings. According to the State, the coroner had determined that the boy's death had been caused by a blow to the head even before he learned that there were witnesses. (*Ha'aretz*, 28 July)

C. Economic, social and cultural effects that such a general system of regulation and the manner of its enforcement has on the lives of the people of the occupied territories

Children

94. On 4 April, it was reported that Defence for Children International (DCI) had charged the day before in a report presented to the United Nations Commission on Human Rights in Geneva that the Jerusalem Educational Authority (Manhi) had violated international law by rejecting Arab children from public schools. The report, entitled "The right to education in East Jerusalem: a study of policies and practices affecting Palestinian Jerusalemite children", profiled cases of Arab residents of Jerusalem who had been rejected by public schools owing to residency issues and overcrowding. "Israel's compulsory Education Law and the Convention on the Rights of the Child require that all children residing in Jerusalem be accepted to public schools", DCI official Ronit Aramati-Halperin stated. However, she added that, "despite the law, field research indicates that children are being prevented from registering in Jerusalem public schools". According to the report, children of parents who had had their residency status revoked, children with only one Jerusalemite parent and children who had moved from one neighbourhood to another often experienced difficulties or were denied access to schools. United Nations Special Rapporteur on education Katarina Tomashevsky said that "the four A's" must be provided for all children: availability, accessibility, acceptability and adaptability. Manhi had failed on the first two because Arab schools in the city were overcrowded with long waiting lists. (*Jerusalem Post*, 4 April)

95. On 11 April, it was reported that, according to the Palestinian Authority Central Bureau of Statistics, more than a fourth of the Palestinian children were living in poverty and a growing number were being forced to go out to seek work. "Among the most important reasons for this rise is the overall drop in the standard of living of Palestinians", Palestinian Central Bureau of Statistics Director Hassan Abu Libdeh said in a speech. (*Jerusalem Post*, 11 April; *Ha'aretz*, 12 April)

96. On 18 July, it was reported that thousands of Palestinian schoolchildren in Jerusalem were either not in school at all or were studying in private or Palestinian Authority schools because there were not enough classrooms in the East Jerusalem public schools system, according to a High Court petition submitted the day before. The shortage was called a violation of international law by Defence for Children International (DCI) in a report presented to the United Nations Commission on Human Rights in Geneva in April 2000. The petition was submitted by Meretz City Councilman Meir Margalit, Shirin Awida, a six-year-old girl from Beit Hannina due to enter first grade this year, and 116 other schoolchildren against the Jerusalem Municipality and the Education Ministry. The city had told the children that there was no room for them in the public school system for the current year. The children had asked the court to issue the State a show-cause order to either explain why it did not provide enough classroom space in public schools, or pay for their private education. The remaining children attend Palestinian Authority schools or spend the bulk of their time on the streets. Jerusalem deputy Education Authority head Binyamin Waller is quoted in the petition as explaining that the lack of classrooms should be attributed to the birth rate in East Jerusalem and the transfer of students from private to public education. The petitioners rejected the explanations, saying the municipality knew how to forecast classroom demands years in advance and that the trend towards transferring to public schools from private schools had begun some 10 years before. (*Jerusalem Post*, 18 July)

D. Other

97. On 5 March, about 60 Palestinian journalists, demanding easier access to news events, demonstrated at the al-Ram checkpoint. Television journalist Nabil Khatib said that, of about 400 journalists in the Palestinian Journalists Syndicate, 350 had no Israeli accreditation and 50 had accreditation but needed passes to cross the Green Line. The Government Press Office stated: "It is unreasonable for Palestinians who do not meet the security standards required ... to expect the Government of Israel to ignore citizens' legitimate security concerns." (*Jerusalem Post*, 6 March)

98. On 6 March, it was reported that residents of the Jewish settlement in Hebron had tried unsuccessfully to

interfere with work by Palestinians on a gas station the Palestinians intended to reopen on the city's Shohada Street, which has been a frequent location of confrontation between the sides. In January 2000, the High Court of Justice had ordered the State to permit Ahmed Al-Jaabri to reopen the gas station, which had been closed down by IDF following the massacre of Muslim worshippers perpetrated by Baruch Goldstein in the nearby Tomb of the Patriarchs in 1994. Jaabri had argued that because Shohada Street, located in the heart of Area H2 (under full Israeli security control), had been partly opened to Palestinian vehicular traffic after six years, he should be permitted to reopen the gas station. Work on the station had begun and immediately attracted dozens of settlers who, according to eyewitnesses, did everything they could to interfere with the work of the Palestinians. (*Ha'aretz*, 7 March)

99. On 27 April, it was reported that Israeli troops had blocked the path of Palestinian bulldozers and scuffled with Palestinians who had gathered at a site close to the Kfar Daroom settlement in Gaza in an attempt to redirect sewage pouring from the settlement into Palestinian agricultural land. Palestinians had repeatedly complained that sewage from the settlements in the Gaza strip either passed through Palestinian areas or was dumped into them, causing health problems and contaminating the shores of the coastal area. Sewage from the Kfar Daroom settlements had been repeatedly dumped into the valley next to Deir el-Balah over the previous six months. (*Jerusalem Post*, 27 April)

100. On 17 May, the Israeli Government supported the passage on parliamentary reading of two Likud bills that would require the agreement of at least 61 Knesset members in order for parts of Jerusalem to be transferred to a foreign power or for Palestinian refugees to be resettled in Israel. The coalition supported the measures even though doing so would tie its hands in negotiations with Palestinians. Palestinian Authority officials warned that the vote could jeopardize any future agreement on Jerusalem. Foreign Minister David Levy called on the entire Knesset to support the bill to show unity over Jerusalem. He wished to make it clear that "no commitments have been given with regard to Jerusalem". He added that the government policy was for a united Jerusalem under Israeli sovereignty. The Jerusalem bill passed by a vote of 68 to 21; the refugee bill had passed by 66 to 22. Minister for Jerusalem Affairs Haim Ramon noted that the Jerusalem bill related to an existing law enacted a year and a half earlier, the so-called "Golan Heights law", requiring a majority vote of 61 Knesset members to rescind territories currently under Israeli sovereignty. Therefore, he said, the bill was "nothing more than an attempt to legislate a law that already exists". (*Ha'aretz*, *Jerusalem Post*, 18 May)

101. On 18 May, it was reported that the level of poverty in the West Bank and the Gaza Strip was among the highest in the Middle East and North Africa. Poverty among the Palestinians living in the self-rule areas was comparable to that of some of the lowest-income countries in the world, on a par with such States as Nicaragua, Ghana and Viet Nam. The World Bank and the Palestinian National Poverty Commission were compiling a report on the level of poverty in the Palestinian Authority areas; the World Bank a week earlier had published a "Poverty Note" in advance of the completion of the final document. The two organizations used purchasing power parity (PPP) in addition to the level of economic development in the territories to measure per capita income. Although the territories had a relatively high per capita income when compared to other countries in the region, because their economy was so closely tied to the Israeli economy and their consumer price index was on a par with Israel's, the poverty rate was higher than that of Jordan, Tunisia, Algeria and Morocco. In 1998, 20.3 per cent of the Palestinians residing in the territories lived below the poverty line. According to the Palestinian Central Bureau of Statistics, this was something of an improvement compared with 1996 (23.6 per cent). The Gaza Strip was twice as poor as the West Bank, with poverty rates of 33 per cent and 14.5 per cent respectively. The same was also true in absolute terms: the number of poor people living in the Gaza Strip was double that of those living in the West Bank, since Gaza had twice the population of the West Bank. (*Ha'aretz*, 28 May)

102. On 1 June, it was reported that, following complaints from Jewish residents, the Jerusalem police the previous day had temporarily halted renovation work on a 100-year-old mosque in the Jewish Quarter of the Old City. The mosque near the Rambam Synagogue had recently reopened for prayers. Jerusalem Mayor Ehud Olmert said that the Waqf was entitled to do interior renovations at the mosque, "but we will not allow them to turn it into a centre of Palestinian activity". (*Jerusalem Post*, 1 June)

103. On 1 June, it was reported that settlers from Netzarim had blocked the Karni Crossing with their vehicles to prevent Palestinian trucks from bringing their merchandise into Gaza. The settlers were protesting the detonation of a roadside bomb as two families travelling in an IDF convoy were returning to their community the day before. (*Jerusalem Post*, 1 June)

104. On 11 June, it was reported that scores of Gush Etzion settlers had prevented Palestinians from building on an agricultural plot near Neveh Daniel three days earlier, claiming the work was illegal. Police and Civil Administration officials who reached the site had initially informed the settlers that the work was legal. Shortly afterwards Civil Administration officials had determined that the work was indeed illegal, and ordered the destruction of a wall built at the site by the Palestinians. (*Jerusalem Post*, 11 June)

105. On 10 July, it was reported that the Interior Ministry had refused to reinstate the Israeli citizenship of about 1,000 women who had married Palestinians and moved to the territories. The Ministry had said that one possible repercussion would be complications in the permanent status talks with the Palestinians. The Ministry had so informed the High Court of Justice in response to a petition by the Association for Civil Rights in Israel (ACRI), which had demanded the reinstatement of the women's citizenship. Supreme Court President Aharon Barak had harshly criticized the Ministry the previous year and said if the women involved were Jewish Israeli women who had moved to California to live with their husbands, the Ministry would not even consider stripping them of their citizenship. He called the policy "discriminatory and arbitrary". The Ministry claimed that the women had given up their citizenship voluntarily when they had asked to be listed in the territories' population register. However, following the Supreme Court's criticism, the Ministry said it would examine every request made by an Arab woman to have her Israeli citizenship reinstated, as long as no security issue was involved, and would even grant her children Israeli citizenship, as long as they lived with her in Israel. (*Ha'aretz*, 10 July)

106. On 23 July, Justice Minister Yossi Beilin said that the Israel public should realize that Israel had never controlled the Arab neighbourhoods in Jerusalem and that it was time to be rid of them. "Israel's annexation of 28 Arab villages in 1967 was very artificial, and the dream to make them an integrated part of Jerusalem was never fulfilled", the Justice Minister said, on a tour of the Arab neighbourhood in north-eastern Jerusalem which was to be handed over to full or partial Palestinian control as part of a peace agreement. (*Jerusalem Post*, 24 July)

II. Situation of human rights in the occupied Syrian Arab Golan

107. On 14 April, it was reported that the Prime Minister's Office had informed the head of the Golan Regional Council that the two-month-old Government-imposed prohibition on new construction on the Golan Heights had been lifted. The announcement had been transmitted via a phone call from Yossi Kucik, the director general of the Prime Minister's Office, to Yehuda Wollman, the head of the Council. Prime Minister Ehud Barak had remarked the previous day that the decision had been only natural "when we see only a narrow crack left in the door of the possible renewal of the negotiation with Syria". Barak added that the Golan project had been held up for several months because of the prospects of the talks with the Syrians, but now, "it is natural for them to be given approval to move forward". Golan Heights officials moved immediately to implement plans that had previously been blocked. Tourism plans included construction of a new 400-room hotel, a commercial centre and a boardwalk at Kursi Junction on the eastern shore of Lake Kinneret. A small hotel of 28 rooms was planned near the Hamat Gader hot springs, an area that had been discussed as a potentially joint Israel-Syrian tourist site. In the town of Katzrin, the "capital" of the Golan Heights, the existing industrial zone was to be expanded. There were also plans for 2,500 homes in four settlements, Had-Ness, Kanaf, Gamla and Ramot, based on a decision by the previous Government's Ministerial Committee for Settlements. (*Ha'aretz*, 14 April)

108. On 2 June, it was reported that the first stage of plans to build 200 new homes in Kaztrin on the Golan Heights had begun the day before with contractors being asked to submit tender estimates for the construction of the initial 86 homes. Work on laying infrastructure for the new development has been completed and construction can now go ahead, according to the Kaztrin local council head, Sammy Bar-Lev. He noted that the approval for the new project

had only been given several months earlier, with the breakdown of peace talks between Israel and the Syrian Arab Republic. "During this time we need to build as much as we can and bring newcomers here and persuade everyone that the situation is irreversible, and that the Government has to think about new models regarding a real peace with Syria under which Israel would retain the Golan," Bar-Lev said. (*Ha'aretz, Jerusalem Post*, 2 June)

109. On 13 June, it was reported that the proposed visit by over 100 persons from the Golan to the Syrian Arab Republic to participate in the funeral of Hafez Assad had been delayed the previous day because of what appeared to have been a misunderstanding over the size and the composition of the delegation. Angry members of the delegation demonstrated at the Quneitra crossing point on the Golan in the morning after they discovered that fewer than half of those whose names had been submitted to make the trip had actually been accepted. The vast majority of the Golan population had refused Israeli citizenship after the region was captured by Israel from the Syrian Arab Republic in the Six-Day-War and they consistently reiterated their Syrian identity. They had regarded Assad as their leader and had held a mourning ceremony in the largest of the villages, Majdal Shams, on 11 June after the announcement of his death. According to the local population, it had been agreed that a delegation of 170 people would be allowed to make the crossing to attend the funeral and pay their condolences and respect to Assad's successor, his son, Bashar. The Interior Ministry in conjunction with the General Security Service, however, had only given permission for just over 100 to make the trip. When the delegation learned of the reduction in the number of the people in the delegation they became angry and all turned back. They accused the Israeli authorities of being responsible for the problem, charging that some names had been removed from the list for so-called security reasons and others added in their place. (*Ha'aretz, Jerusalem Post*, 13 June)

110. On 24 July, it was reported that the Golan Regional Council was continuing to expand settlements and create infrastructure. Its representatives were submitting a proposal to the National Sewage Administration to establish a sewage plant right next to the Beit Sida Nature Reserve, considered the most important nature and landscape site in the area of Lake Kinneret. According to Avi Sharon, chief engineer for the Golan Regional Council, the new reservoir would be able to accommodate an expansion of the existing settlements up to 2,500 households. (*Ha'aretz*, 24 July)

111. On 30 July, it was reported that for the second time in two weeks, for "security" reasons, Arkia Airline officials had kept Druze ticket holders from boarding a plane at the Kiryat Shmona airport. In the incident, a Druze couple from the Golan Heights had not been permitted to board despite the fact that their flight tickets had been booked and paid for in advance. Arkia explained that while it regretted the inconvenience caused by its decision, the non-flight policy was in accordance with guidelines dictated by the General Security Service. Malak, 24, and Abu-Arar Safadi, 18, from the village of Majdal Shams on the Golan Heights, had been married the week before and intended to fly from Kiryat Shmona to Tel Aviv en route to their honeymoon vacation in Turkey. In a similar incident, the week before, six Druze would-be passengers from Majdal Shams had also been prevented from boarding an Arkia flight. The airline had referred to the GSS guidelines in that case as well. (*Ha'aretz*, 31 July)